

Attachment A to Lowrise Multifamily Code Amendment Ordinance: Repealed Code Sections

The repealed sections of the Land Use Code are shown below in numerical order. When the repealed section references an exhibit, that exhibit is also repealed. The title of the repealed section is followed by a reference to the number of the repealing section of the ordinance.

23.34.016 Lowrise 1 (L1) zone, function and locational criteria. (Ordinance Section 8)

A. Function. An area that provides low density, primarily ground-related multifamily housing opportunities.

B. Locational Criteria. Lowrise 1 zone designation is most appropriate in areas generally characterized by the following:

1. Development Characteristics of the Area.

a. Areas where structures of low heights, generally less than thirty (30) feet, and small bulk establish the pattern of development;

b. Areas with:

(1) A mix of single-family structures, small multifamily structures and single-family structures legally converted into multiple units where, because of the type and quality of the existing housing stock, it is desirable to encourage new development opportunities, or

(2) Numerous or large vacant parcels suitable for family housing where densities greater than single-family are desired; and

c. Areas where internal vehicular circulation is conducive to residential units that are oriented to the ground level and the street. Preferred locations are generally separated from principal arterials, as defined by the Seattle Comprehensive Transportation Program, which conflict with the desired character of L1 areas.

2. Relationship to the Surrounding Areas.

a. Properties that are definable pockets within a larger, higher density multifamily area, where it is desirable to preserve a small-scale character;

b. Properties generally surrounded by a larger single-family area where variation and replacement in housing type could be accommodated without significant disruption of the pattern, character or livability of the surrounding development;

c. Properties where a gradual transition is appropriate between single-family areas and more intensive multifamily or neighborhood commercial zones;

d. Properties in areas where narrow streets, on-street parking congestion, local traffic congestion, or irregular street patterns restrict local access and circulation;

e. Properties in areas close to facilities and services used by households with children, including schools, parks and community centers.

C. Areas zoned single family meeting the locational criteria for single-family designation may be rezoned to L1 only when the provisions of Section 23.34.010 B are met.

23.23.022 Lowrise 4 (L4) zone, function and locational criteria. (Ordinance Section 11)

A. Function. An area that provides moderate density multifamily infill development in residential neighborhoods already characterized by moderate density residential structures, with good vehicular circulation, adequate alleys, and on-street parking.

B. Locational Criteria.

1. Threshold Conditions. Subject to subsection B2 of this section, properties that may be considered for an L4 designation are limited to the following:

- a. Properties already zoned L4;
- b. Properties in areas already developed predominantly to the permitted L4 density and where L4 scale is well established;
- c. Properties within an urban center or urban village, except in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, in the Upper Queen Anne Residential Urban Village, in the Morgan Junction Residential Urban Village, in the Lake City Hub Urban Village, in the Bitter Lake Village Hub Urban Village, or in the Admiral Residential Urban Village; or
- d. Properties located in the Delridge Neighborhood Revitalization Area, as shown in Exhibit 23.34.020 A, provided that the L4 zone designation would facilitate a mixed-income housing development initiated by a public agency or the Seattle Housing Authority; a property use and development agreement is executed subject to the provisions of SMC Chapter 23.76 as a condition to any rezone; and the development would serve a broad public purpose.

2. Properties designated as environmentally critical may not be rezoned to an L4 designation, and may remain L4 only in areas predominantly developed to the intensity of the L4 zone.

3. Other Criteria. The Lowrise 4 zone designation is most appropriate in areas generally characterized by the following:

- a. Development Characteristics of the Area.
 - (1) Either:
 - (a) Areas that are already developed predominantly to the permitted L4 density and where L4 scale is well established,
 - (b) Areas that are within an urban center or urban village, except in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, in the Upper Queen Anne Residential Urban Village, in the Morgan Junction Residential Urban Village, in the Lake City Hub Urban Village, in the Bitter Lake Village Hub Urban Village, or in the Admiral Residential Urban Village, or
 - (c) Areas that are located within the Delridge Neighborhood Revitalization Area, as shown in Exhibit 23.34.020 A, provided that the L4 zone designation would facilitate a mixed-income housing development initiated by a public agency or the Seattle Housing Authority; a property use and development agreement is executed subject to the provisions of SMC Chapter 23.76 as a condition to any rezone; and the development would serve a broad public purpose.
 - (2) Areas of sufficient size to promote a high quality, higher density residential environment where there is good pedestrian access to amenities;
 - (3) Areas generally platted with alleys that can provide access to parking, allowing the street frontage to remain uninterrupted by driveways, thereby promoting a street environment better suited to the level of pedestrian activity associated with higher density residential environments;
 - (4) Areas with good internal vehicular circulation, and good access to sites, preferably from alleys. Generally, the width of principal streets in the area should be sufficient to allow for two (2) way traffic and parking along at least one (1) curbside.

- b. Relationship to the Surrounding Areas.
 - (1) Properties in areas adjacent to concentrations of employment;

(2) Properties in areas that are directly accessible to regional transportation facilities, especially transit, providing connections to major employment centers, including arterials where transit service is good to excellent and street capacity is sufficient to accommodate traffic generated by higher density development. Vehicular access to the area should not require use of streets passing through less intensive residential areas;

(3) Properties with close proximity and with good pedestrian connections to services in neighborhood commercial areas, public open spaces and other residential amenities;

(4) Properties with well-defined edges providing sufficient separation from adjacent areas of small scale residential development, or where such areas are separated by zones providing a transition in the height, scale and density of development.

23.45.002 Scope of Provisions (Ordinance Section 21)

The zones regulated by this Chapter 23.45 are found in Section 23.45.502.

23.45.004 Principal uses permitted outright. (Ordinance Section 23)

All uses are permitted outright, prohibited or permitted as a conditional use according Section 23.45.504.

23.45.006 General development standards for structures in multifamily zones. (Ordinance Section 25)

General provisions for structures in multifamily zones are found in Section 23.45.508.

23.45.009 Structure Height (Ordinance Section 28)

A. Maximum Height. The maximum height permitted for all structures, except for cottage housing developments, shall be as follows:

Lowrise Duplex/Triplex	—Twenty-five (25) feet
Lowrise 1	—Twenty-five (25) feet
Lowrise 2	—Twenty-five (25) feet
Lowrise 3	—Thirty (30) feet
Lowrise 4	—Thirty-seven (37) feet

B. Cottage Housing Height. The maximum height permitted for structures in cottage housing developments shall be eighteen (18) feet.

C. Pitched Roofs.

1. Except for cottage housing developments, in Lowrise Duplex/Triplex, Lowrise 1 and Lowrise 2 zones the ridge of pitched roofs on principal structures with a minimum slope of six to twelve (6:12) may extend up to thirty-five (35) feet. The ridge of pitched roofs on principal structures with a minimum slope of four to twelve (4:12) may extend up to thirty (30) feet. All parts of the roof above twenty-five (25) feet shall be pitched. (See Exhibit 23.45.009 A.)

2. In cottage housing developments, the ridge of pitched roofs with a minimum slope of six to twelve (6:12) may extend up to twenty-eight (28) feet. The ridge of pitched roofs with a minimum slope of four to twelve (4:12) may extend up to twenty-three (23) feet. All parts of the roof above eighteen (18) feet shall be pitched.

3. In Lowrise 3 and Lowrise 4 zones the ridge of pitched roofs on principal structures may extend up to five (5) feet above the maximum height limit. All parts of the roof above thirty (30) feet in Lowrise 3 zones and thirty-seven (37) feet in Lowrise 4 zones shall be pitched at a rate of not less than four to twelve (4:12). (See Exhibit 23.45.009 B.)

4. No portion of a shed roof shall be permitted to extend beyond the maximum height limit under this provision.

D. Rooftop Features.

1. Flagpoles and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer than 50 percent of their height above existing grade or, if attached only to the roof, no closer than 50 percent of their height above the roof portion where attached, to any adjoining lot line.

2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend no higher than the ridge of a pitched roof permitted under subsection C above or 4 feet above the maximum height limit set in subsection 23.45.009.A. For cottage housing developments, these rooftop features may extend 4 feet above the 18 foot height limit.

3. For cottage housing developments, chimneys may exceed the height limit by 4 feet or may extend 4 feet above the ridge of a pitched roof.

4. Except in cottage housing developments, the following rooftop features may extend 10 feet above the maximum height limit established in subsection 23.45.009.A so long as the combined total coverage of all features does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes screened mechanical equipment:

- a. Stair and elevator penthouses;
- b. Mechanical equipment;
- c. Play equipment and open-mesh fencing which encloses it, so long as the fencing is at least 5 feet from the roof edge;
- d. Chimneys;
- e. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.011.

5. For height exceptions for solar collectors, see Section 23.45.545.D, Solar collectors on roofs.

6. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed in this subsection 23.45.009.D.6 at least 10 feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the north on January 21st at noon no more than would a structure built to maximum permitted bulk:

- a. Solar collectors;
- b. Planters;
- c. Clerestories;
- d. Greenhouses;
- e. Minor communication utilities and accessory communication devices, permitted according to the provisions of Chapter 23.57.011;
- f. Nonfirewall parapets;
- g. Play equipment.

7. For height limits and exceptions for communication utilities and devices, Section 23.57.011.

E. Sloped Lots. Additional height shall be permitted for sloped lots, at the rate of one (1) foot for each six (6) percent of slope, to a maximum of five (5) feet. The additional height shall be permitted on the downhill side of the structure only, as described in Section 23.86.006 C.

23.45.010 Lot coverage—Lowrise zones (Ordinance Section 28)

A. Except as provided in subsection C of this section, the maximum lot coverage permitted for principal and accessory structures shall not exceed the following limits:

1. For townhouses, the following lot coverage limits shall apply:

Lowrise duplex/Triplex	— Forty-five (45) percent.
Lowrise 1	—Fifty (50) percent.
Lowrise 2	—Fifty (50) percent.
Lowrise 3	—Fifty (50) percent.
Lowrise 4	—Fifty (50) percent.

2. For all other structures, the following lot coverage limits shall apply:

Lowrise Duplex/Triplex	— Thirty-five (35) percent.
Lowrise 1	—Forty (40) percent.
Lowrise 2	—Forty (40) percent.
Lowrise 3	— Forty-five (45) percent.
Lowrise 4	—Fifty (50) percent.

3. When townhouses and other structures are located on the same lot, the lot coverage shall be calculated as follows:

a. Divide the number of townhouse units by the total number of units on the site, and multiply this figure by the percentage of lot coverage allowed for townhouses in that zone; and

b. Divide the number of units in all other (nontownhouse) structures on the site by the total number of units on site and multiply this figure by the percentage of lot coverage allowed for all other structures in that zone; and

c. Add subsections A3a and A3b above, which equals the maximum lot coverage.

B. For cottage housing developments, in addition to the limitations of subsection A above, the lot coverage for an individual principal structure shall not exceed six hundred fifty (650) square feet.

C. Lot Coverage Exceptions. The following structures or portions of structures shall be exempted from the measurement of lot coverage:

1. Pedestrian access bridges from alleys, streets or easements, and uncovered, unenclosed bridges of any height necessary for access and five (5) feet or less in width;

2. Ramps or other access for the disabled or elderly meeting Washington State Building Code, Chapter 11;

3. Fences, freestanding walls, bulkheads, signs and other similar structures;

4. An underground structure, or underground portion of a structure, on any part of the entire lot;

5. The first eighteen (18) inches of horizontal projection of eaves, cornices and gutters;

6. The first four (4) feet of horizontal projection from principal and accessory structures of unenclosed decks, balconies and porches;

7. Solar collectors meeting the provisions of Section 23.44.046 and swimming pools eighteen (18) inches or less above grade;

8. Decks or parts of a deck that are eighteen (18) inches or less above existing grade.

23.45.011 Structure width and depth—Lowrise zones. (Ordinance Section 28)

A. The maximum width and depth of structures shall be as provided in Table 23.45.011

A. (See Table 23.45.011 A.)

B. The minimum width for structures in Lowrise Duplex/Triplex zones shall be twenty (20) feet.

Table 23.45.011 A Structure Width and Depth in Lowrise Zones			
Multifamily Zone	Maximum Building Width Without Modulation	Maximum Building Width With Modulation	Maximum Building Depth
Lowrise Duplex/Triplex	30 feet; or 40 feet with a principal entrance facing a street	45 feet	60% depth of lot, but not to exceed 65 feet
Lowrise 1	30 feet; or 40 feet with a principal entrance facing a street	60 feet	60% depth of lot
Lowrise 2	30 feet; or 40 feet with a principal entrance facing a street	Apartments and ground- related housing (except townhouses), 50 feet	Apartments and ground- related housing (except townhouses), 60% depth of lot
		Townhouses, 90 feet	Townhouses, 65% depth of lot
Lowrise 3	30 feet; or 40 feet with a principal entrance facing a street	Apartments and ground- related housing (except townhouses), 75 feet	Apartments and ground- related housing including townhouses, 65% depth of lot
Lowrise 4	30 feet; or 40 feet with a principal entrance facing a street	Townhouses, 120 feet	65% depth of lot
		Apartments and ground- related housing (except townhouses), 90 feet	
		Townhouses, 150 feet	

23.45.012 Modulation requirements—Lowrise zones. (Ordinance Section 28)

A. Front Facades.

1. Modulation shall be required if the front facade width exceeds thirty (30) feet with no principal entrance facing the street, or forty (40) feet with a principal entrance facing the street.

2. For terraced housing, only the portion of the front facade closest to the street is required to be modulated. (See Exhibit 23.45.012 A.)

B. Side Facades. On corner lots, side facades which face the street shall be modulated if greater than forty (40) feet in width for ground-related housing, and thirty (30) feet in width for apartments. Modulation shall not be required for the side facades of terraced housing.

C. Interior Facades. Within a cluster development all interior facades wider than forty (40) feet shall be modulated according to the standards of subsection D of Section 23.45.012, provided that the maximum modulation width shall be forty (40) feet. Perimeter facades shall follow standard development requirements.

D. Modulation Standards.

1. Lowrise Duplex/Triplex and Lowrise 1 Zones.

a. Minimum Depth of Modulation.

(1) The minimum depth of modulation shall be four (4) feet. (See Exhibit 23.45.012 B.)

(2) When balconies are part of the modulation and have a minimum dimension of at least six (6) feet and a minimum area of at least sixty (60) square feet, the minimum depth of modulation shall be two (2) feet. (See Exhibit 23.45.012 C.)

b. The minimum width of modulation shall be five (5) feet. (See Exhibit 23.45.012 B.)

c. Maximum Width of Modulation. The modulation width shall emphasize the identity of individual units, but shall not be greater than thirty (30) feet. For units located one (1) above the other, the individuality of the units shall be emphasized through the location of driveways, entrances, walkways and open spaces.

2. Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

a. Minimum Depth of Modulation.

(1) The minimum depth of modulation shall be four (4) feet (see Exhibit 23.45.012 B) in Lowrise 2 and Lowrise 3 zones and for townhouses in Lowrise 4 zones, and eight (8) feet for apartments in Lowrise 4 zones.

(2) When balconies are part of the modulation and have a minimum dimension of at least six (6) feet and a minimum area of at least sixty (60) square feet, the minimum depth of modulation shall be two (2) feet. (See Exhibit 23.45.012 C.)

b. The minimum width of modulation shall be five (5) feet. (See Exhibit 23.45.012 B.)

c. Maximum Width of Modulation.

(1) The maximum width of modulation shall be thirty (30) feet.

(2) Exceptions to Maximum Width of Modulation in Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

i. When facades provide greater depth of modulation than required by subsection D1 of this section, then for every additional full foot of modulation depth, the width of modulation may be increased by two and one-half (2½) feet, to a maximum width of

forty (40) feet in Lowrise 2 zones and forty-five (45) feet in Lowrise 3 and Lowrise 4 zones. Subsection B of Section 23.86.002, measurements, shall not apply.

ii. The maximum width of modulation may be increased when facades are set back from the lot line further than the required setback, according to the following guideline: The width of modulation of such a facade shall be permitted to exceed thirty (30) feet by one (1) foot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of subsection D2c(2)i, nor shall it permit facades to exceed forty-five (45) feet in width without modulation.

3. In Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 zones required modulation may start a maximum of ten (10) feet above existing grade, and shall be continued up to the roof. In Lowrise Duplex/Triplex zones modulation shall extend from the ground to the roof except for weather protection coverings such as awnings.

23.45.014 Setback requirements—Lowrise zones. (Ordinance Section 28)

A. Front Setback.

1. The required front setback shall be the average of the setbacks of the first principal structures on either side, except for cottage housing developments, subject to the following:

Lowrise	
Duplex/	
Triplex —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed twenty (20) feet.
Lowrise 1,	
Lowrise 2	
and	
Lowrise 3 —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed fifteen (15) feet.
Lowrise 4 —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed twenty (20) feet.

2. Cottage Housing Developments. The required front setback shall be a minimum of ten (10) feet.

3. Townhouses.

a. Portions of a structure may project into the required front setback, as long as the average distance from the front property line to the structure satisfies the minimum front setback requirement.

b. No portion of a structure shall be closer to the front property line than five (5) feet.

4. Through Lots. In the case of a through lot, each setback abutting a street, except a side setback, shall be a front setback. Rear setback requirements shall not apply to the lot.

5. A greater setback may be required in order to meet the provisions of Section 23.53.015, Improvement requirements for existing streets in residential and commercial zones.

B. Rear Setbacks. Rear setbacks shall be provided as follows:

1. Zones. Lowrise Duplex/Triplex and Lowrise 1-Twenty (20) feet or twenty (20) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet, except for cottage housing developments, which shall provide a minimum ten (10) foot rear setback.

Lowrise 2—Twenty-five (25) feet or twenty (20) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet.

Lowrise 3 and Lowrise 4—Twenty-five (25) feet or fifteen (15) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet.

2. Alleys. When a property abuts upon an alley along a rear lot line, the centerline of the alley between the side lot lines extended shall be used as the rear lot line for purposes of measuring a rear setback; provided that at no point shall the principal structure be closer than ten (10) feet to the actual property line at the alley. If the provisions of subsection H of this section are used, this subsection may not be used.

C. Side Setbacks.

1. The required side setback for structures in Lowrise zones shall be determined by structure depth and height, according to the following Table 23.45.014 A:

Table 23.45.014 A Side Setbacks-Lowrise Zones
Height of Side Façade at Highest Point in Feet

	0—25'	26—30'	31—37'	
Structure Depth in Feet	Average Side Setback in Feet			Minimum Side Setback
65 or less	5	6	7	5'
66 to 80	6	6	8	5'
81 to 100	8	9	11	6'
101 to 120	11	12	14	7'
121 to 140	14	15	17	7'
141 to 160	17	18	20	8'
161 to 180	19	21	23	8'
Greater than 180				1' in addition to 8' for every 50' in depth

The pattern established in the table shall be continued for structures greater than one hundred eighty (180) feet in depth.

2. When there is a principal entrance along a side facade not facing a street or alley, the following shall apply except for cottage housing developments:

a. In addition to the setback required in Table 23.45.014 A, the principal entrance door(s) shall be recessed three (3) feet. This requirement for a recessed entrance shall apply only to a height necessary to accommodate the entrance.

b. Screening along the side property line that faces the principal entrance(s) shall be provided in the form of a wall or fence that meets the standard in subsection G of this section. In order to ensure adequate access width, this screening shall supersede the

landscape requirement along property lines that abut single-family zoned lots contained in Section 23.45.015 B1b.

3. The side street setback of a reversed corner lot shall be ten (10) feet or as provided in Table 23.45.014 A, whichever is greater.

D. Required Setbacks for Cluster Developments.

1. In Lowrise Duplex/Triplex zones where two (2) or more principal structures are located on a lot, the required setback between those portions of interior facades which face each other shall be ten (10) feet when the length of facing portions of facades is forty (40) feet or less and fifteen (15) feet when the length of facing portions of facades exceeds forty (40) feet.

2. In Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 zones where two (2) or more principal structures are located on a lot, the required setback between those portions of interior facades which face each other shall be as follows:

Table 23.45.014 C Required Setback Between Facing Facades Lowrise Zones

Length of Facing Facades, in Feet	Average Setback Between Facing Facades (in Feet)	Minimum Setback (in Feet)
40 or less	10	10
41 to 60	15	10
61 to 80	20	10
81 to 100	25	10
101 to 150	30	10
151 or more	40	10

3. Setbacks shall apply only to portions of the facades that are directly across from each other.

4. In Lowrise 2, Lowrise 3 and Lowrise 4 zones structures in cluster developments may be connected by elevated walkways, provided that:

a. One (1) elevated walkway shall be permitted to connect any two (2) structures in the development;

b. Additional elevated walkways, in excess of one (1), between any two (2) structures may be permitted by the Director when it is determined that by their location or design a visual separation between structures is maintained;

c. All elevated walkways shall meet the following standards:

(1) The roof planes of elevated walkways shall be at different levels than the roofs or parapets of connected structures.

(2) Walkways shall be set back from street lot lines and the front facades of the structures they connect, and whenever possible shall be located or landscaped so that they are not visible from a street.

(3) The design of the walkways and the materials used shall seek to achieve a sense of openness and transparency.

(4) Elevated walkways shall add to the effect of modulation rather than detract from it.

5. For structures connected by elevated walkways, the length of the facade shall be defined as the lengths of the facades connected by the elevated walkways and shall exclude the length of the elevated walkway.

E. Interior Separation for Cottage Housing Developments. In cottage housing developments, there shall be a minimum separation of six (6) feet between principal structures, unless there is a principal entrance on an interior facade of either or both of the facing facades, in which case the minimum separation shall be ten (10) feet. Facades of principal structures facing facades of accessory structures shall be separated by a minimum of three (3) feet.

F. Projections into Required Setbacks.

1. Special Features of a Structure.

a. External architectural details with no living space including cornices, eaves, sunshades, gutters, and vertical architectural features which are less than eight (8) feet in width, may project a maximum of eighteen (18) inches into any required setback.

b. Bay windows shall be limited to eight (8) feet in width and may project no more than two (2) feet into a front, rear, or street side setback. In no case shall bay windows be closer than five (5) feet to any lot line.

c. Other projections which include interior space, such as garden windows, may extend no more than eighteen (18) inches into any required setback, starting a minimum of thirty (30) inches above finished floor, and with maximum dimensions of six (6) feet tall and eight (8) feet wide.

d. The combined area of features permitted in subsections F1b and c above may comprise no more than thirty (30) percent of the area of the facade.

2. Unenclosed Decks and Balconies.

a. Unenclosed decks and balconies may project a maximum of four (4) feet into the required front setback provided they are a minimum of ten (10) feet from the front lot line in Lowrise Duplex/Triplex and Lowrise 1 zones and eight (8) feet from the front lot line in Lowrise 2, Lowrise 3 and Lowrise 4 zones.

b. Except as provided in subsection G5 of Section 23.45.014, unenclosed decks and balconies shall be permitted in side setbacks, provided they are a minimum of five (5) feet from a side lot line, and may project into the required rear setback a maximum of four (4) feet provided they are a minimum of five (5) feet from a rear lot line.

c. Unenclosed decks and balconies permitted in required setbacks shall be limited to a maximum width of twenty (20) feet and shall be separated by a distance equal to at least one-half (½) the width of the projection.

d. All permitted projections into required front and rear setbacks shall begin a minimum of eight (8) feet above finished grade.

3. An unenclosed porch or steps may extend a maximum of six (6) feet into the required front setback at ground level, provided that it is set back the same distance from the front lot line as that required for unenclosed decks and balconies.

G. Structures in Required Setbacks.

1. Detached garages, carports, or other accessory structures are permitted in the required rear setback, provided that any accessory structure located between a principal structure and the side lot line shall provide the setback required for the principal structure. (See Exhibit 23.45.014 A.)

All such accessory structures, including garages, shall be no greater than 12 feet in height. The height of garages shall be measured on the facade containing the entrance for the vehicles, with open rails permitted above 12 feet.

2. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State Building Code, Chapter 11, are permitted in required front, side or rear setbacks.

3. Uncovered, unenclosed pedestrian bridges, necessary for access and less than 5 feet in width, are permitted in required front, side and rear setbacks.

4. Fences, Freestanding Walls, Bulkheads, Signs and Other Similar Structures.

a. Fences, freestanding walls, signs and other similar structures 6 feet or less in height above existing or finished grade whichever is lower, are permitted in required front, side, or rear setbacks. The 6 foot height may be averaged above sloping grade for each 6 foot long segment of the fence, but in no case may any portion of the fence exceed 8 feet.

Architectural features may be added to the top of the fence or freestanding wall above the 6 foot height when the following provisions are met: horizontal architectural feature(s), no more than 10 inches high and separated by a minimum of 6 inches of open area, measured vertically from the top of the fence, may be permitted when the overall height of all parts of the structure, including post caps, are no more than 8 feet high; averaging the 8 foot height is not permitted. Structural supports for the horizontal architectural feature(s) may be spaced no closer than 3 feet on center.

b. The Director may allow variation from the development standards listed in subsection G4a above, according to the following:

i. No part of the structure may exceed 8 feet;

ii. Any portion of the structure above 6 feet shall be predominately open, such that there is free circulation of light and air.

c. Bulkheads and retaining walls used to raise grade may be placed in any required yard when limited to 6 feet in height, measured above existing grade. A guardrail no higher than 42 inches may be placed on top of a bulkhead or retaining wall existing as of the date of the ordinance codified in this section. If a fence is placed on top of a new bulkhead or retaining wall, the maximum combined height is limited to 9.5 feet.

d. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the minimum height necessary to support the cut or 6 feet, whichever is greater. When the bulkhead is measured from the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Building Code requirements may be placed on top of the bulkhead or retaining wall. A fence must be set back a minimum of 3 feet from such a bulkhead or retaining wall.

5. Decks no more than 18 inches above existing or finished grade, whichever is lower, may project into required setbacks.

6. Underground structures are permitted in all setbacks.

7. Solar collectors are permitted in required setbacks, subject to the provisions of Section 23.45.545.C.

8. Arbors. Arbors may be permitted in required setbacks under the following conditions:

a. In each required setback, an arbor may be erected with no more than a 40 square foot footprint, measured on a horizontal roof plane inclusive of eaves, to a maximum height of 8 feet. Both the sides and the roof of the arbor must be at least 50 percent open, or, if latticework is used, there must be a minimum opening of 2 inches between crosspieces.

b. In each required setback abutting a street, an arbor over a private pedestrian walkway with no more than a 30 square foot footprint, measured on the horizontal

roof plane and inclusive of eaves, may be erected to a maximum height of 8 feet. The sides of the arbor shall be at least 50 percent open, or, if latticework is used, there must be a minimum opening of 2 inches between crosspieces.

H. Front and rear setbacks on lots containing certain environmentally critical areas or buffers may be reduced pursuant to the provisions of Sections 25.09.280 and 25.09.300.

Section 23.45.015 Screening and landscaping requirements—Lowrise zones (Ordinance Section 28)

A. Quantity.

1. A minimum landscaped area that is equivalent in square footage to three (3) feet times the total length of all property lines shall be provided, except as specified in subsection A5 of this section.

2. If screening and landscaping of parking from direct street view is provided according to subsection D of Section 23.45.018, that amount of landscaped area may be counted toward fulfilling the total amount of landscaped area required by this section.

3. Landscaped usable open space that is provided for apartments or terraced housing and located at ground level, may be counted toward fulfilling the total amount of landscaped area required by this section.

4. Street trees shall be provided in the planting strip according to Seattle Department of Transportation Tree Planting Standards, unless it is not possible to meet the standards. Existing street trees may count toward meeting the street tree requirement.

5. Exceptions.

a. If full landscaping is not possible because of the location of existing structures and/or existing parking, the amount of required landscaped area may be reduced by up to fifty (50) percent. The Director may require that landscaping which cannot be provided on the lot be provided in the planting strip.

b. If landscaping would obscure the visibility of retail uses or obstruct pedestrian access to retail uses, and there is no other location on the lot for the landscaping, the Director may reduce or waive the amount of landscaping required in those locations. No reduction or waiver shall apply to screening and landscaping of parking required by subsection D of Section 23.45.018 or open space required by Section 23.45.016.

B. Development Standards.

1. Except for the screening and landscaping of parking, which shall be provided according to subsection D of Section 23.45.018, landscaping may be provided on all sides of the lot, or may be concentrated in one (1) or more areas. However, a landscaped area at least three (3) feet deep shall be provided at the following locations, except as provided in subsection B2:

- a. Along street property lines;
- b. Along property lines which abut single-family zoned lots;
- c. Along alleys across from single-family zoned lots.

2. Breaks in required screening and landscaping shall be permitted to provide pedestrian and vehicular access. Breaks in required screening and landscaping for vehicular access shall not exceed the width of permitted curbcuts and any required sight triangles. When an alley is used as an aisle, the Director may reduce or waive the required screening or landscaping along the alley.

3. Required landscaping shall meet standards promulgated by the Director.

C. Tree Requirements in Landscaped Areas in Lowrise Duplex/Triplex, Lowrise 1, and Lowrise 2 Zones.

1. Trees shall be required when new lowrise multifamily dwelling units are constructed. This requirement may be met using options in subsection C1a or C1b below. The minimum number of caliper inches of tree required per lot may be met through using either the tree preservation option or tree planting option set forth below, or through a combination of preservation and planting. Trees within public and private rights-of-way may not be used to meet this standard.

a. Tree Preservation Option. For lots over three thousand (3,000) square feet, at least two (2) caliper inches of existing tree per one thousand (1,000) square feet of lot area must be preserved. On lots that are three thousand (3,000) square feet or smaller, at least three (3) caliper inches of existing tree must be preserved per lot. When this option is used, a tree preservation plan is required.

b. Tree Planting Option. For lots over three thousand (3,000) square feet, at least two (2) caliper inches of tree per one thousand (1,000) square feet of lot area must be planted. On lots that are three thousand (3,000) square feet or smaller, at least three (3) caliper inches of tree must be planted per lot.

2. Tree Measurements. Trees planted to meet the requirements in subsection C1 above shall be at least one and one-half (1.5) inches in diameter. The diameter of new trees shall be measured (in caliper inches) six (6) inches above the ground. Existing trees shall be measured four and one-half (4.5) feet above the ground. When an existing tree is three (3) to ten (10) inches in diameter, each one (1) inch counts as one (1) inch toward meeting the tree requirements in subsection C1 above. When an existing tree is more than ten (10) inches in diameter, each one (1) inch of the tree that is over ten (10) inches shall count as three (3) inches toward meeting the tree requirement.

3. Tree Preservation Plans. If the tree preservation option is chosen, a tree preservation plan must be submitted and approved. The plan may be submitted as part of the overall landscaping plan for the project. Tree preservation plans shall provide for protection of trees during construction according to standards promulgated by the Department of Planning and Development.

23.45.016 Open space requirements—Lowrise zones (Ordinance Section 28)

A. Quantity of Open Space.

1. A minimum landscaped area that is equivalent in square footage to three (3) feet times the total length of all property lines shall be provided, except as specified in subsection A5 of this section.

2. If screening and landscaping of parking from direct street view is provided according to subsection D of Section 23.45.018, that amount of landscaped area may be counted toward fulfilling the total amount of landscaped area required by this section.

3. Landscaped usable open space that is provided for apartments or terraced housing and located at ground level, may be counted toward fulfilling the total amount of landscaped area required by this section.

4. Street trees shall be provided in the planting strip according to Seattle Department of Transportation Tree Planting Standards, unless it is not possible to meet the standards. Existing street trees may count toward meeting the street tree requirement.

5. Exceptions.

a. If full landscaping is not possible because of the location of existing structures and/or existing parking, the amount of required landscaped area may be reduced by up to fifty (50) percent. The Director may require that landscaping which cannot be provided on the lot be provided in the planting strip.

b. If landscaping would obscure the visibility of retail uses or obstruct pedestrian access to retail uses, and there is no other location on the lot for the landscaping, the Director may reduce or waive the amount of landscaping required in those locations. No reduction or waiver shall apply to screening and landscaping of parking required by subsection D of Section 23.45.018 or open space required by Section 23.45.016.

B. Development Standards.

1. Lowrise Duplex/Triplex Zones and Ground-related Housing in Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

a. Lowrise Duplex/Triplex Zones-Private Usable Open Space.

(1) Private usable open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of four hundred (400) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of two hundred (200) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

(2) Private usable open space shall be located a maximum of four (4) feet above or below a private entry to the unit it serves. The floor of the unit accessed by this entry shall have a minimum area of three hundred (300) square feet. This minimum area may include a private garage if habitable floor area of the same unit is located directly above.

b. Lowrise Duplex/Triplex Zones-Common Open Space. Required common open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of six hundred (600) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of one hundred fifty (150) square feet. In cottage housing developments, each cottage shall abut the common open space. No horizontal dimension of open space shall be less than ten (10) feet.

c. Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones-Ground-related Housing.

(1) In Lowrise 1 zones the required open space shall be provided in one (1) contiguous parcel, except that in cottage housing developments, the open space shall be allotted as described in subsections A2c above and B1c(5) below. In Lowrise 2, Lowrise 3 and Lowrise 4 zones, the required open space for each ground-related dwelling unit is not required to be in one (1) contiguous area, but no open space area shall be less than one hundred twenty (120) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

(2) Required open space may be located a maximum of ten (10) feet above or below the unit it serves, except as permitted in subsection B1c(4), provided that the access to such open space does not go through or over common circulation areas, common or public open spaces, or the open space serving another unit.

(3) At least fifty (50) percent of the required open space for a unit shall be level, provided that:

i. The open space may be terraced; and

ii. Minor adjustments in level shall be permitted as long as the difference in elevation between the highest and lowest point does not exceed two (2) feet.

(4) For additional dwelling units proposed within a structure existing on August 11, 1982, the vertical distance between the unit and the private, landscaped open space may exceed ten (10) feet where the following criteria are met:

i. Where the structure was constructed with floor-to-floor heights in excess of ten (10) feet, the open space may be located a maximum of ten (10) feet plus the height between floors in excess of ten (10) feet, above or below the unit it serves; or

ii. Where the structure was constructed with the first floor in excess of two (2) feet above grade, the open space may be located a maximum of ten (10) feet plus the additional height of the first floor in excess of two (2) feet above grade, above or below the unit it serves.

(5) Lowrise 1 Zone-Cottage Housing Developments.

i. At least fifty (50) percent of the required total open space per unit shall be provided as private usable open space in one (1) contiguous parcel. No horizontal dimension of the open space shall be less than ten (10) feet.

ii. Common open space shall be provided at ground level in one (1) contiguous parcel with a minimum area per unit of one hundred fifty (150) square feet. No horizontal dimension of the open space shall be less than ten (10) feet. Each cottage shall abut the common open space.

d. Required open space may be located in the front, sides or rear of the structure.

e. To ensure privacy of open space, openings such as windows and doors on the ground floor of walls of a dwelling unit, or common areas which directly face the open space of a different unit, are prohibited, unless such openings are screened by view-obscuring fences, freestanding walls or wingwalls.

f. Parking areas, driveways and pedestrian access, except for pedestrian access meeting the Washington State Building Code, Chapter 11, shall not be counted as open space.

g. Required private usable open space shall be landscaped according to standards promulgated by the Director for ground-related dwelling units.

2. Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones-Apartments.

a. No horizontal dimension for required ground-level open space shall be less than ten (10) feet.

b. Required open space is permitted in the front, sides or rear of the structure.

c. Parking areas, driveways and pedestrian access, except pedestrian access meeting the Washington State Building Code, Chapter 11, shall not be counted as open space.

d. In order to qualify as above-ground level open space, balconies, decks, and in L3 and L4 zones, individual unit decks on roofs, shall all have a minimum horizontal dimension of six (6) feet, and a total area of at least sixty (60) square feet, while common roof gardens in L3 and L4 zones shall have a minimum area of two hundred fifty (250) square feet. Common roof garden open space shall be landscaped according to the rules promulgated by the Director.

e. For cluster development, at least twenty (20) percent of the required open space shall be provided in one (1) contiguous area.

f. Terraced Housing on a Slope of Twenty-five (25) Percent or More.

(1) No horizontal dimension for required ground-level open space shall be less than ten (10) feet.

(2) Required open space is permitted in the front, sides or rear of the structure.

(3) Parking areas, driveways and pedestrian access, except pedestrian access meeting the Washington State Building Code, Chapter 11, shall not be counted as open space.

(4) In order to qualify as above-ground-level open space, rooftop areas shall have a minimum horizontal dimension of at least ten (10) feet and a total area of at least one hundred twenty (120) square feet.

g. When a transmitting antenna is sited or proposed to be sited on a rooftop where required open space is located, see Section 23.57.011.

3. Open Space Exception. When all parking and access to parking is uncovered and is surfaced in permeable material, except gravel, the quantity of required ground-level open space shall be reduced by five (5) percent of the total lot area.

C. Open Space Relationship to Grade.

1. The elevation of open space for ground-related housing must be within 10 vertical feet of the elevation of the dwelling unit it serves. The 10 feet is measured between the finished floor level of the principal living areas of a dwelling unit and the grade of at least 50 percent of the required open space. Direct access to the open space shall be from at least one habitable room of at least 80 square feet of the principal living areas of the unit. Principal living areas do not include foyers, entrance areas, closets or storage rooms, hallways, bathrooms or similar rooms alone or in combination. This subsection 23.45.016.C.1 does not apply to townhouses or single-family structures.

2. The grade of the ground level open space shall be no higher than 18 inches above the existing grade. The portion of the open space that is within 10 vertical feet of the unit shall include the point where the access to the open space from the unit occurs.

3. The elevation of private usable open space for Lowrise Duplex/Triplex structures must be within 4 feet of the elevation of the dwelling unit it serves. The 4 feet is measured between the finished floor level of the dwelling unit and the grade of at least 50 percent of the required open space. The grade of the ground level open space shall be no higher than 18 inches above the existing grade. The maximum difference in elevation at the point of access shall be 4 feet.

23.45.017 Light and glare standards—Lowrise zones. (Ordinance Section 28)

A. Exterior lighting shall be shielded and directed away from adjacent properties.

B. Interior lighting in parking garages shall be shielded to minimize nighttime glare on adjacent properties.

C. To prevent vehicle lights from affecting adjacent properties, driveways and parking areas for more than two (2) vehicles shall be screened from adjacent properties by a fence or wall between five (5) feet and six (6) feet in height, or a solid evergreen hedge or landscaped berm at least five (5) feet in height. If the elevation of the lot line is different from the finished elevation of the driveway or parking surface, the difference in elevation may be measured as a portion of the required height of the screen so long as the screen itself is a minimum of three (3) feet in height. The Director may waive the requirement for the screening if it is not needed due to

changes in topography, agreements to maintain an existing fence, or the nature and location of adjacent uses.

23.45.018 Parking and access—Lowrise zones. (Ordinance Section 28)

A. Parking Quantity. Parking shall be required as provided in Chapter 23.54.

B. Access to Parking.

1. Alley Access Required. Access to parking shall be from the alley when the site abuts a platted alley improved to the standards of subsection C of Section 23.53.030 or when the Director determines that alley access is feasible and desirable to mitigate parking access impacts. Except as provided in subsections B2 or B3 of this section, street access shall not be permitted.

2. Street Access Required. Access to parking shall be from the street when:

a. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard; or

b. The lot does not abut a platted alley; or

c. In Lowrise 3 zones, apartments are proposed across an alley from a Single-family or Lowrise Duplex/Triplex zone; or

d. In Lowrise 4 zones apartments are proposed across an alley from a Single-family, Lowrise Duplex/Triplex or Lowrise 1 zone.

3. Street or Alley Access Permitted. Access to parking may be from either the alley or the street, but not both, when the conditions listed in subsection B2 do not apply, and one (1) or more of the following conditions are met:

a. Topography makes alley access infeasible;

b. In all zones except Lowrise Duplex/Triplex, ground-related housing is proposed across an alley from a Single-family zone;

c. Access to required barrier-free parking spaces which meet the Washington State Building Code, Chapter 11, may be from either the street or alley, or both.

4. In Lowrise Duplex/Triplex zones, no more than fifty (50) percent of the total area of the required front setback extended to side lot lines may be occupied by a driveway providing access to parking, except where the minimum required driveway standards will exceed fifty (50) percent of the front setback.

C. Location of Parking.

1. Parking shall be located on the same site as the principal use.

2. Parking may be located in or under the structure, provided that:

a. For ground-related housing, the parking is screened from direct street view by the street-facing facades of the structure (see Exhibit 23.45.018 A), by garage doors, or by a fence and landscaping as provided in subsection D of Section 23.45.018 (see Exhibit 23.45.018 B).

b. For apartments, the parking is screened from direct street view by the street-facing facades of the structure. For each permitted curbcut, the facades may contain one (1) garage door, not to exceed the maximum width allowed for curbcuts (see Exhibit 23.45.018 A).

3. Parking may be located outside a structure provided it maintains the following relationships to lot lines and structures. In all cases parking located outside of a structure shall be screened from direct street view as provided in subsection D of Section 23.45.018.

a. Parking may be located between any structures on the same lot, except that for cottage housing developments, parking is not permitted between cottages.

b. Rear Lot Lines. Parking may be located between any structure and the rear lot line of the lot. (See Exhibit 23.45.018 C.)

c. Side Lot Lines. Parking may be located between any structure and a side lot line which is not a street side lot line (see Exhibit 23.45.018 C). Where the location between the structure and a side lot line is also between a portion of the same structure and the front lot line, subsection C3d(3) shall apply. (See Exhibit 23.45.018 D.)

d. Front and Street Side Lot Lines. Parking may be located between any structure and the front and street side lot lines, provided that:

(1) On a through lot, parking may be located between the structure and one (1) of the front lot lines; provided, that on lots one hundred twenty-five (125) feet or more in depth, parking shall not be located in either front setback. The frontage in which the parking may be located shall be determined by the Director based on the prevailing character and setback patterns of the block.

(2) For ground-related housing on corner lots, parking may be located between the structure and a street lot line along one (1) street frontage only.

(3) Parking may be located between the front lot line and a portion of a structure, provided that:

i. The parking is also located between a side lot line, other than a street side lot line, and a portion of the same structure which is equal to at least thirty (30) percent of the total width of the structure. (See Exhibit 23.45.018 D.)

ii. In Lowrise 1 and Lowrise 2 zones the parking is not located in the front setback and in no case closer than twenty (20) feet to the front lot line.

iii. In Lowrise 3 and Lowrise 4 zones the parking is not located in the front setback and in no case closer than fifteen (15) feet to the front lot line.

4. Location of Parking in Special Circumstances.

a. For a cluster development, the location of parking shall be determined in relation to the structure or structures which have perimeter facades facing a street. (See Exhibit 23.45.018 E.)

b. In all Lowrise zones, the Director may permit variations from the development standards for parking location and design, and curbcut quantity and width, for lots meeting the following conditions:

(1) Lots proposed for ground-related housing with no feasible alley access and with:

i. Less than eighty (80) feet of street frontage, or

ii. Lot depth of less than one hundred (100) feet, or

iii. A rise or drop in elevation of at least twelve (12) feet in the first sixty (60) feet from the front lot line; and

(2) Lots proposed for apartments and terraced housing with no feasible alley access and a rise or drop in elevation of at least twelve (12) feet in the first sixty (60) feet from the front lot line;

(3) On lots meeting the standards listed in subsections C4b(1) and C4b(2), the following variations may be permitted:

i. Ground-related Housing. Parking may be located between the structure and the front lot line,

ii. Apartments. Parking may be located in or under the structure if screened from direct street view by garage doors or by fencing and landscaping;

(4) In order to permit such alternative parking solutions, the Director must determine that siting conditions, such as the topography of the rest of the lot, or soil and drainage conditions, warrant the exception, and that the proposed alternative solution meets the following objectives: Maintaining on-street parking capacity, an attractive environment at street levels, landscaped street setbacks, unobstructed traffic flow and, where applicable, the objectives of the Shoreline Master Program. In no case shall a curbcut be authorized to exceed thirty (30) feet in width.

D. Screening of Parking.

1. Parking shall be screened from direct street view by the front facade of a structure, by garage doors, and by a fence or wall between five (5) and six (6) feet in height. When the fence or wall runs along the street, there shall be a landscaped area a minimum of three (3) feet deep on the street side of the fence or wall. The screening shall be located outside any required sight triangle. (See Exhibit 23.45.018 F.)

2. The height of the visual barrier created by the screen required in subsection D1 shall be measured from street level. If the elevation of the lot line is different from the finished elevation of the parking surface, the difference in elevation may be measured as a portion of the required height of the screen, so long as the screen itself is a minimum of three (3) feet in height (see Exhibit 23.45.018 F).

3. Screening may also be required to reduce glare from vehicle lights, according to Section 23.45.017, Light and glare standards.

23.45.005 Development standards for single-family structures (Ordinance Section 39)

A. In Lowrise zones, except for cottage housing developments permitted in Lowrise Duplex/Triplex and Lowrise 1 zones according to subsection 23.45.005.D, single-family structures are subject to the development standards for ground-related dwelling units, except as provided in subsections 23.45.005.C and D below, and except that open space shall be provided according to the provisions for single-family structures in each zone, in Section 23.45.016.

B. In MR and HR zones, single-family structures shall meet the development standards of the zone.

C. In all multifamily zones, certain additions may extend into a required setback when an existing single-family structure is already nonconforming with respect to that setback, if the presently nonconforming section is at least 60 percent of the total width of the respective facade of the structure prior to the addition. The line formed by the nonconforming wall of the structure shall be the limit to which any additions may be built, which may extend up to the height limit and may include basement additions (Exhibit A for 23.45.005). New additions to a nonconforming wall or walls shall comply with the following requirements:

1. When it is a side wall, it is at least 3 feet from the side lot line;
2. When it is a rear wall, it is at least 10 feet from the rear lot line or centerline of an alley abutting the rear lot line;
3. When it is a front wall, it is at least 10 feet from the front lot line.

23.47A.029 Solid waste and recyclable materials storage space. (Ordinance Section 50)

A. Storage space for solid waste and recyclable materials containers shall be provided as indicated in the table below for all new structures permitted in NC zones or C zones and for existing multifamily structures with ten (10) or more units when expanded by two (2) or more units.

Table for Sec. 23.47A.029			
Structure Type	Structure Size	Minimum Area for Storage Space	Container Type
Residential*	7—15 units	75 square feet	Rear-loading
	16—25 units	100 square feet	Rear-loading
	26—50 units	150 square feet	Front-loading
	51—100 units	200 square feet	Front-loading
	More than 100 units	200 square feet plus 2 square feet for each additional unit	Front-loading
Nonresidential (1)	0—5,000 square feet	82 square feet	Rear-loading
	5,001—15,000 square feet	125 square feet	Rear-loading
	15,001—50,000 square feet	175 square feet	Front-loading
	50,001—100,000 square feet	225 square feet	Front-loading
	100,001—200,000 square feet	275 square feet	Front-loading
	200,001 plus square feet	500 square feet	Front-loading

(1) Mixed-Use Buildings. Buildings containing residential and nonresidential uses with eighty (80) percent or more of gross floor area designated for residential use will be considered residential buildings. All other mixed-use buildings will be considered nonresidential buildings.

B. The design of the storage space shall meet the following requirements:

1. The storage space shall have no horizontal dimension (width and depth) less than six (6) feet;
2. The floor of the storage space shall be level and hard-surfaced (garbage or recycling compactors require a concrete surface); and
3. If located outdoors, the storage space shall be screened from public view and designed to minimize light and glare impacts.

C. The location of the storage space shall meet the following requirements:

1. The storage space must be located on the lot of the structure it serves and, if located outdoors, it shall not be located between a street-facing facade of the structure and the street;

2. The storage space must not be located in any required driveways, parking aisles, or parking spaces for the structure;
3. The storage space must not block or impede any fire exits, any public rights-of-ways or any pedestrian or vehicular access; and
4. The storage space must be located to minimize noise and odor to building occupants and neighboring developments.

D. Access to the storage space for occupants and service providers shall meet the following requirements:

1. For rear-loading containers:
 - a. Any proposed ramps to the storage space shall be of six (6) percent slope or less, and
 - b. Any proposed gates or access routes must be a minimum of six (6) feet wide; and
2. For front-loading containers:
 - a. Direct access shall be provided from the alley or street to the containers,
 - b. Any proposed gates or access routes shall be a minimum of ten (10) feet wide, and
 - c. When accessed directly by a collection vehicle into a structure, a twenty-one (21) foot overhead clearance shall be provided.

E. The solid waste and recyclable materials storage space specifications required in subsections A, B, C, and D above, in addition to the number and sizes of containers, shall be included on the plans submitted with the permit application.

F. The Director, in consultation with the Director of Seattle Public Utilities, has the discretion to grant departures from the requirements of subsections A, B, C, and D of this section above, as a Type I Master Use Permit decision, under the following circumstances:

1. When either:
 - a. The applicant can demonstrate difficulty in meeting any of the requirements of subsections A, B, C, and D of this section; or
 - b. The applicant proposes to expand a multifamily structure or mixed use building, and the requirements of subsections A, B, C, and D of this section conflict with opportunities to increase residential densities and/or retain ground-level retail uses; and
2. When the applicant proposes alternative, workable measures that meet the intent of this section.

23.48.031 Solid waste and recyclable materials storage space. (Ordinance Section 50)

A. Storage space for solid waste and recyclable materials containers shall be provided for all new structures permitted in the Seattle Mixed zone and expanded multifamily structures as indicated in the table below. For the purposes of this subsection, "expanded

multifamily structure" means expansion of multifamily structures with ten (10) or more existing units by two (2) or more units.

Structure Type	Structure Size	Minimum Area for Storage Space	Container Type
Multifamily*	7—15 units	75 square feet	Rear-loading
	16—25 units	100 square feet	Rear-loading
	26—50 units	150 square feet	Front-loading
	51—100 units	200 square feet	Front-loading
	More than 100 units	200 square feet plus	Front-loading
		2 square feet for	
		each additional	
		unit	
Commercial*	0—5,000 square feet	82 square feet	Rear-loading
	5,001—15,000 square feet	125 square feet	Rear-loading
	15,001—50,000 square feet	175 square feet	Front-loading
	50,001—100,000 square feet	225 square feet	Front-loading
	100,001—200,000 square feet	275 square feet	Front-loading
	200,001 plus square feet	500 square feet	Front-loading

* Mixed Use Buildings. Mixed use buildings with eighty (80) percent or more of floor space designated for residential use will be considered residential buildings. All other mixed use buildings will be considered commercial buildings.

B. The design of the storage space shall meet the following requirements:

1. The storage space shall have no dimension (width and depth) less than six (6) feet;
2. The floor of the storage space shall be level and hard-surfaced (garbage or recycling compactors require a concrete surface); and
3. If located outdoors, the storage space shall be screened from public view and designed to minimize light and glare impacts.

C. The location of the storage space shall meet the following requirements:

1. The storage space shall be located within the private property boundaries of the structure it serves and, if located outdoors, it shall not be located between a street facing facade of the structure and the street;
2. The storage space shall not be located in any required driveways, parking aisles, or parking spaces for the structure;

3. The storage space shall not block or impede any fire exits, public rights-of-ways or any pedestrian or vehicular access; and
4. The storage space shall be located to minimize noise and odor to building occupants and neighboring developments.

D. Access to the storage space for occupants and service providers shall meet the following requirements:

1. For rear-loading containers (usually two (2) cubic yards or smaller):
 - a. Any proposed ramps to the storage space shall be of six (6) percent slope or less, and
 - b. Any proposed gates or access routes must be a minimum of six (6) feet wide; and
2. For front-loading containers (usually larger than two (2) cubic yards):
 - a. Direct access shall be provided from the alley or street to the containers,
 - b. Any proposed gates or access routes shall be a minimum of ten (10) feet wide, and
 - c. When accessed directly by a collection vehicle into a structure, a twenty-one (21) foot overhead clearance shall be provided.

E. The solid waste and recyclable materials storage space specifications required in subsections A, B, C, and D of this section above, in addition to the number and sizes of containers, shall be included on the plans submitted with the permit application.

F. The Director, in consultation with the Director of Seattle Public Utilities, shall have the discretion to modify the requirements of subsections A, B, C, and D of this section above under the following circumstances:

1. When the applicant can demonstrate difficulty in meeting any of the requirements of subsections A, B, C, and D of this section; or
2. When the applicant proposes to expand a multifamily or mixed-use building, and the requirements of subsections A, B, C, and D of this section conflict with opportunities to increase residential densities and/or retain ground-level retail uses; and
3. When the applicant proposes alternative, workable measures that meet the intent of this section.

23.86.020 Modulation. (Ordinance Section 100)

Modulation criteria are described in the development standards for each multifamily residential zone. The following provisions describe how measurements shall be made in determining whether modulation requirements have been met.

A. Modulation Width.

1. Modulation width shall be the width of a facade segment between the points at which adjacent segments begin to step forward or back (Exhibit 23.86.020 A).
2. Balconies and decks shall be considered to be projections of the facade for the purpose of measuring modulation width.

3. The stepping forward or back in the facade between which modulation width is measured shall be sufficient to satisfy the minimum modulation requirements for width and depth specified in the standard development requirements for the appropriate multi-family zone. Steps in the facade which do not satisfy minimum modulation width or depth requirements shall not be considered to form a separate facade segment for the purpose of measuring modulation width, until such steps cumulatively satisfy the minimum dimension required.

4. In cases where the design of a structure is so unusual that the above provisions cannot be applied; for example, for wedge-shaped or curved facade projections; the Director shall determine when modulation requirements have been met.

B. Modulation Depth.

1. Modulation depth shall be the distance a facade segment steps forward or back from an adjacent facade segment (Exhibit 23.86.020 B).

2. Balconies and decks shall be considered to be projections of the facade for the purpose of measuring modulation depth.

3. When portions of a facade which step forward or back do not satisfy the minimum modulation width or depth specified in the standard development requirements for the appropriate multifamily zone, such portions shall not be considered to form a separate facade segment for the purpose of measuring modulation depth, until such steps cumulatively satisfy the minimum dimensions required.

4. In cases where the design of the structure is so unusual that the above provisions cannot be applied, the Director shall determine when modulation requirements have been met.

C. Calculating Maximum Permitted Modulation Width. The maximum width of modulation is prescribed in the standard development requirements for each multi-family zone. In those cases for which the maximum modulation width may be increased if the modulation depth is increased, the following provisions shall apply:

1. When the depth of modulation provided allows the structure to qualify for increased modulation width, each adjacent facade segment shall qualify for the increased width, each adjacent facade segment shall qualify for the increased width (Exhibit 23.86.020 C).

2. When a facade segment is bounded by two (2) modulated segments of differing depths, the maximum modulation width shall be determined by the greater of the two modulation depths (Exhibit 23.86.020 D).